

Exhibit B

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

THE STATE OF LOUISIANA,
By and through its Attorney General, JEFF
LANDRY, et al.,

PLAINTIFFS,

v.

JOSEPH R. BIDEN, JR. in his official capacity
as President of the United States, et al.,

DEFENDANTS.

CIVIL ACTION NO. 1:21-cv-3867-DCJ-JPM

Declaration of [Michelle Marston]

I, Michelle Marston, declare as follows:

EDUCATION, EXPERIENCE, AND EXPERTISE

1. I am the Chief of Staff for the Mississippi Attorney General's Office.

2. I have been in this position for almost two (2) years.

3. I have personal knowledge about the Mississippi Internet Crimes Against Children (ICAC) Task Force.

4. In my position, I oversee the application process for federal funding for the ICAC Task Force through the U.S. Department of Justice Office of Juvenile Justice & Delinquency Prevention.

5. I make this declaration in support of Plaintiff States' Motion for a Preliminary Injunction. This declaration is based on my personal knowledge and experience. I could and would competently testify to its contents if called to do so.

Effect of Contractor Mandate on Mississippi's ICAC Task Force

6. The Contractor Mandate has a direct and immediate impact on the ICAC Task Force.

7. Mississippi has entered into a cooperative agreement with the United States Department of Justice. Under this agreement, DOJ provides funds and support to the ICAC Task Force.

1 8. The ICAC Task Force receives between \$400-600 thousand annually from the federal
2 government.

3 9. The ICAC Task Force relies on those federal funds to fulfill its mission to protect
4 Mississippi's children. Those funds allow the ICAC Task Force to hire the law enforcement and related
5 personnel it needs to prevent, investigate, and prosecute child-exploitation crimes.

6 10. The ICAC Task Force does not currently have a COVID-19 vaccine mandate in place
7 for its employees. Nor was it planning to implement a COVID-19 vaccine mandate.

8 11. Based on communications that State entities have received from the federal
9 government, I reasonably believe the federal Contractor Vaccine Mandate will apply to the ICAC Task
10 Force.

11 12. If the Contractor Mandate takes effect, the ICAC Task Force will be forced to choose
12 between implementing a vaccine mandate or forgoing its federal funding. Both options existentially
13 threaten the ICAC Task Force's ability to perform its critical public-safety functions.

14 13. If the ICAC Task Force complies with the mandate, I expect some of the Task Force's
15 employees to resign or quit instead of comply with the mandate. Though the exact number of persons
16 who would leave the Task Force won't be known unless the mandate is implemented, news articles
17 about the effect of vaccine mandates on other law-enforcement organizations describe the possibility
18 of "los[ing] 5, 10%" of a law enforcement agency's workforce "overnight" in response to a vaccine
19 mandate in Los Angeles County. Bobby Caina Calvin and John Seewer, *Cities, police unions clash as vaccine*
20 *mandates take effect*, AP News (Oct. 15, 2021), <https://bit.ly/305cQFV>. And in Seattle, the police
21 department "sent detectives and non-patrol officers to emergency calls ... because of a shortage of
22 patrol officers that union leaders fear will become worse because of vaccine mandates." *Id.* I have no
23 reason to think the Contractor Vaccine Mandate's effect on the ICAC Task Force would be any
24 different.

25 14. Alternatively, if the ICAC Task Force does not comply with the mandate, it would lose
26 its federal funds, harming our ability to continue paying all of our Task Force members. The ICAC
27 Task Force cannot effectively perform its critical public-safety functions without a full complement of
28 employees.

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2 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED
3 STATES OF AMERICA AND THE STATE OF MISSISSIPPI THAT THE FOREGOING IS
4 TRUE AND CORRECT.

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6 Executed in Jackson, Mississippi this 10th day of November, 2021.

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9 Michelle Christine Marston
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